

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE:

KENNETH GREGORY COOK	:	CHAPTER 13
	:	
Debtor.	:	CASE NO.: 18-53572-PMB

**MOTION TO SUSPEND PLAN PAYMENTS FOR  
APRIL, MAY JUNE 2021**

COMES NOW THE DEBTOR, KENNETH GREGORY COOK, in the above-styled Chapter 13 case, by and through counsel, and files this “Motion to Suspend Plan Payments for April, May and June (“Motion”), showing to this Court the following:

1.

This Court has jurisdiction in this matter pursuant to 28 U.S.C. Section 1334, 28 U.S.C. Section 151, and 28 U.S.C. Section 157.

2.

This Court is the proper venue for this matter pursuant to 28 U.S.C. Section 1409.

3.

This matter is a core proceeding within the contemplation of 28 U.S.C. Section 157.

4.

Debtor filed a voluntary petition for relief under Chapter 13 of Title 11 of the United States Code on March 2, 2018 and Debtor’s Chapter 13 Plan was confirmed by this Court on October 24, 2018.

5.

Debtor is scheduled for a total hip replacement surgery on March 25, 2021 through Emory Orthopaedics and Spine Center. His doctors predict that he will be off work recuperating for at least 10 weeks. Debtor requests the Court to suspend Debtor's monthly Chapter 13 payments for April, May, June 2021, without a reduction in Plan base. The suspension of payments will allow Debtor to return to work in time to resume his payments. Debtor will resume Chapter 13 plan payments in July 2021.

WHEREFORE, Debtor prays:

- (a) That this Motion to be filed, read, and considered:
- (b) That this Honorable Court grant this Motion; and,
- (c) That this Honorable Court grant such further relief as it may deem just and proper.

Respectfully submitted,

/s/

Howard Slomka, Esq.  
Attorney for Debtor  
Georgia Bar No. 652875  
Slipakoff & Slomka, PC  
6400 Powers Ferry Road, NW  
Suite 391  
Atlanta, GA 30339

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**NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that KENNETH GREGORY COOK has filed a Motion to Suspend Plan Payments for April, May, June 2021 and related papers with the Court seeking an Order on the Motion to Suspend Plan Payments.

**PLEASE TAKE FURTHER NOTICE** that the Court will hold a hearing on the Motion to Suspend Plan Payments in **Courtroom 1202**, United States Courthouse, 75 Ted Turner Drive, S.W., Atlanta, Georgia at **10:15 A.M. on April 22, 2021.**

**\*Given the current public health crisis, hearings may be telephonic only. Please check the “Important Information Regarding Court Operations During COVID-19 Outbreak” tab at the top of the GANB website prior to the hearing for instructions on whether to appear in person or by phone.**

Your rights may be affected by the court’s ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one). If you do not want the court to grant the relief sought in these pleadings or if you want the court to consider your view, then you and/or your attorney must attend the hearing. You may also file a written response to the pleadings with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk’s Office is: Clerk, U.S. Bankruptcy Court, Suite 1340,

75 Ted Turner Drive SW, Atlanta, Georgia 30303. You must also mail a copy of your response to the undersigned at the address stated below.

[DATE & SIGNATURE ON FOLLOWING PAGE]

Dated: March 22, 2021

\_\_\_\_\_/s/\_\_\_\_\_  
Howard Slomka, Esq.  
Georgia Bar #652875  
Attorney for Debtor  
Slipakoff & Slomka, PC  
6400 Powers Ferry Road  
Suite 391  
Atlanta, GA 30339

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**CERTIFICATE OF SERVICE**

This is to certify that I have this day served a copy of the within and foregoing MOTION TO SUSPEND PLAN PAYMENTS FOR APRIL, MAY, JUNE 2021 in the above styled case by depositing same in the United States mail with the adequate postage affixed thereto to insure delivery addressed as follows:

Melissa J. Davey (served ECF)  
Chapter 13 Trustee  
260 Peachtree Street, N.E.  
Suite 200  
Atlanta, GA 30303

Kenneth Gregory Cook  
5771 Southland Walk  
Stone Mountain, GA 30087

SEE ATTACHED FOR ADDITIONAL LIST OF CREDITORS

Dated: March 22, 2021

\_\_\_\_\_/s/\_\_\_\_

Howard Slomka, Esq.  
GA Bar #652875  
Attorney for Debtor  
Slipakoff & Slomka, PC  
6400 Powers Ferry Road NW  
Suite 391  
Atlanta, GA 30339

Label Matrix for local noticing  
113E-1  
Case 18-53572-pmb  
Northern District of Georgia  
Atlanta  
Mon Mar 22 15:55:56 EDT 2021

Capital One Auto Finan  
3901 Dallas Pkwy  
Plano, TX 75093-7864

William Alexander Bozarth  
Office of Melissa J. Davey  
Standing Chapter 13 Trustee  
Suite 200  
260 Peachtree Street, NW  
Atlanta, GA 30303-1236

Capital One Auto Finance  
4515 N Santa Fe Ave. Dept. APS  
Oklahoma City, OK 73118-7901

(p)CAINE & WEINER COMPANY  
12005 FORD ROAD 300  
DALLAS TX 75234-7262

Capital One Auto Finance, c/o AIS Portfoli  
4515 N Santa Fe Ave. Dept. APS  
Oklahoma City, OK 73118-7901

Carrington Mortgage Services  
1610 E. Saint Andrew Place  
Santa Ana, CA 92705-4941

Carrington Mortgage Services, LLC  
1600 South Douglass Road  
Anaheim, CA 92806-5951

Kenneth Gregory Cook  
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Credit Control Service  
725 Canton Street  
Norwood, MA 02062-2679

Melissa J. Davey  
Melissa J. Davey, Standing Ch 13 Trustee  
Suite 200  
260 Peachtree Street, NW  
Atlanta, GA 30303-1236

(p)GEORGIA DEPARTMENT OF REVENUE  
COMPLIANCE DIVISION  
ARCS BANKRUPTCY  
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ATLANTA GA 30345-3202

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Internal Revenue Service  
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Richard J Joseph  
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Midland Credit Management, Inc.  
as agent for Midland Funding LLC  
PO Box 2011  
Warren, MI 48090-2011

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Southland Owners Association  
5728 Southland Drive  
Stone Mountain, GA 30087-5278

The Southland Owners Association, Inc.  
C/O Lazega & Johanson, LLC  
P.O. Box 250800  
Atlanta, GA 30325-1600

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c/o Lazega & Johanson, LLC  
P.O. Box 250800  
Atlanta, Georgia 30325-1600

U. S. Attorney  
600 Richard B. Russell Bldg.  
75 Ted Turner Drive, SW  
Atlanta GA 30303-3315

(p)US DEPARTMENT OF HOUSING AND URBAN DEVELOP  
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40 MARIETTA ST SUITE 300  
ATLANTA GA 30303-2812